

PTO/SB/21 (05-03)

Approved for use through 04/30/2003. OMB 0651-0031

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	10/722,578
		Filing Date	November 28, 2003
		First Named Inventor	Todd A. Simpson
		Art Unit	
		Examiner Name	
Total Number of Pages in This Submission		Attorney Docket Number	9351-285

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Acknowledgement postcard Cited foreign documents and publication Letter
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<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	BERESKIN & PARR, Ian C. McMillan, Registration No. 43,390	
Signature		
Date	January 13, 2004	

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

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January 13, 2004

Ian C. McMillan B.Sc. (Math & Eng.), LL.B., LL.M.
416 957 1644 imcmillan@bereskinparr.com

Your Reference: 10/722,578
Our Reference: 9351-285

INFORMATION DISCLOSURE STATEMENT

The Commissioner for Patents
PO Box 1450
Alexandria, Virginia
U.S.A 22313-1450

Dear Sir:

Re: United States Patent Application No. 10/722,578
Title: A FUEL CELL POWER SYSTEM AND METHOD
OF OPERATING THE SAME
Filed: November 28, 2003
Applicants: Todd A. Simpson, Joseph Cargnelli and Stephen Burany

In accordance with 37 CFR 1.56 and 1.97, subject to the waiver of the requirements of 37 CFR 1.98(a)(2)(i) provided by the United States Patent and Trademark Office Notice dated August 5, 2003, applicant hereby submits an Information Disclosure Statement including (1) a listing, on PTO form 1449, all patents and other publications of which the applicant is aware that may be considered material to the patentability of its claimed invention, and (2) a copy of the listed foreign patent documents and publications.

Please have these documents recorded against the above-mentioned application.

Respectfully submitted,

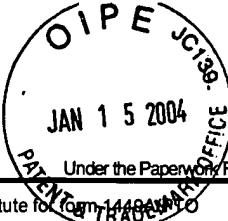


Ian C. McMillan
Registration No. 43,390

/lbr
Encl.

Please send all correspondence to the Toronto office:

Scotia Plaza, 40 King St. West, 40th Floor, Toronto, Ontario, Canada M5H 3Y2 Tel: 416.364.7311 Fax: 416.361.1398	2000 Argentia Rd., Plaza 4, Ste. 430, Mississauga, Ontario, Canada L5N 1W1 Tel: 905.812.3600 Fax: 905.814.0031	Waterloo Technology Campus, 408 Albert St., Ste. 2, Waterloo, Ontario, Canada N2L 3V3 Tel: 519.783.3210 Fax: 519.783.3211
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Substitute for form 1469-AUTO

*Compl te if Known***INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet

1 of 2

Application Number	10/722,578
Filing Date	November 28, 2003
First Named Inventor	Todd A. Simpson
Art Unit	
Examiner Name	

Attorney Docket Number 9351-285

U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (if known)			
1	US- 5,786,104		07-28-1998	Black et al.	
2	US- 5,996,976		12-07-1999	Murphy et al.	
3	US- 6,013,385		01-11-2000	DuBose	
4	US- 6,117,577		09-12-2000	Wilson	
5	US- 6,329,090		12-11-2001	McElroy et al.	
6	US- 2001/0004500		06-21-2001	Grasso et al.	
7	US- 2001/0012575		08-09-2001	Katagiri et al.	
8	US- 2002/0006537		01-17-2002	Kobayashi et al.	
9	US- 2002/0015867		02-07-2002	Carnelli et al.	
10	US- 2003/0031906		02-13-2003	Carnelli et al.	
	US-				

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)				
11	WO 01/97311		12-20-2001	Hydrogenics Corporation		
12	WO 02/11224		02-07-2002	Hydrogenics Corporation		
13	JP58164165		09-29-1983	Kansai Electric Power Co Inc: The JGC Corp and Fuji Electric Co Ltd		
14	JP62165872		07-22-1987	Hitachi Ltd		

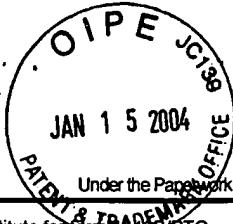
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Date Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet

of 2

Completeness if Known	
Application Number	10/722,578
Filing Date	November 28, 2003
First Named Inventor	Todd A. Simpson
Art Unit	
Examiner Name	
Attorney Docket Number	9351-285

NON PATENT LITERATURE DOCUMENTS

Examiner Signature		Date Considered	
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***EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). **2** Applicant is to place a check mark here if English language Translation is attached.

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